

Resolution No.:	<u>17-742</u>
Introduced:	<u>April 9, 2013</u>
Adopted:	<u>May 7, 2013</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Amendment to the Comprehensive Water Supply and Sewerage Systems Plan

Background

1. Section 9-501 et seq. of the Environmental Article of the Maryland Code requires the governing body of each County to adopt and submit to the State Department of the Environment a comprehensive County Plan, and from time to time amend or revise that Plan for the provision of adequate water supply systems and sewerage systems throughout the County.
2. Section 9-507 of the Environmental Article of the Maryland Code provides that the Maryland Department of the Environment (MDE) has 90 days to review a county governing body's action to amend the County's Water and Sewer Plan. Upon notice to the County, MDE may extend that review period for another 90 days, if necessary. At the conclusion of this review, MDE must either approve or reject the Council's action on each of these amendments, or the action is confirmed by default. Any action approved or taken by this resolution is not final until that action is approved by the MDE or the period for final MDE action has expired.
3. In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
4. The County Council has from time to time amended the Plan.
5. On July 19, 2011, the County Council deferred action on Sewer Category Change Request 09A-CKB-01 (Windridge Farm, LLC for Orchard Run) regarding the applicant's request to remove the Private Institutional Facility (PIF) restriction for public sewer on the property. The Council deferred action pending the outcome of Zoning Application No. G-881 for the property.

6. On March 19, 2013, the Hearing Examiner transmitted his recommendation to approve Zoning Application No. G-881, provided that the Council also approves public sewer service category S-3 for the property without a Private Institutional Facilities (PIF) restriction.
7. On March 25, 2013, the County Council received a letter from the applicant for Sewer Category Change Request 09A-CKB-01 (Windridge Farm, LLC for Orchard Run) requesting that the County Council schedule and consider this deferred Sewer Category Change Request simultaneously with consideration of the Hearing Examiner's Report and recommendation on Zoning Application No. G-881.
8. Approval of Category Change Request 09A-CKB-01 (Windridge Farm, LLC for Orchard Run) is needed in order for Zoning Application No. G-881 to be considered by the County Council.
9. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.
10. A public hearing was held on May 7, 2013.

Action

The County Council for Montgomery County, Maryland approves the following actions on amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan as shown in the attachments to this resolution.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN**April 2013 Review of a deferred Water/Sewer Category Map Amendment**

Montgomery County uses water and sewer service area categories, in part, to identify those properties that should use public water and/or sewer service versus those that should use on-site systems, usually wells and/or septic systems. Category 1 identifies properties approved for public service and that have access to public system mains. Category 3 identifies properties approved for public service but need new main extensions in order to receive public service. Categories 4 and 5 identify properties that currently should use on-site systems, but are proposed for public service in the future. Category 6 identifies properties that should use on-site systems, where public service is not planned for at least the next ten years.

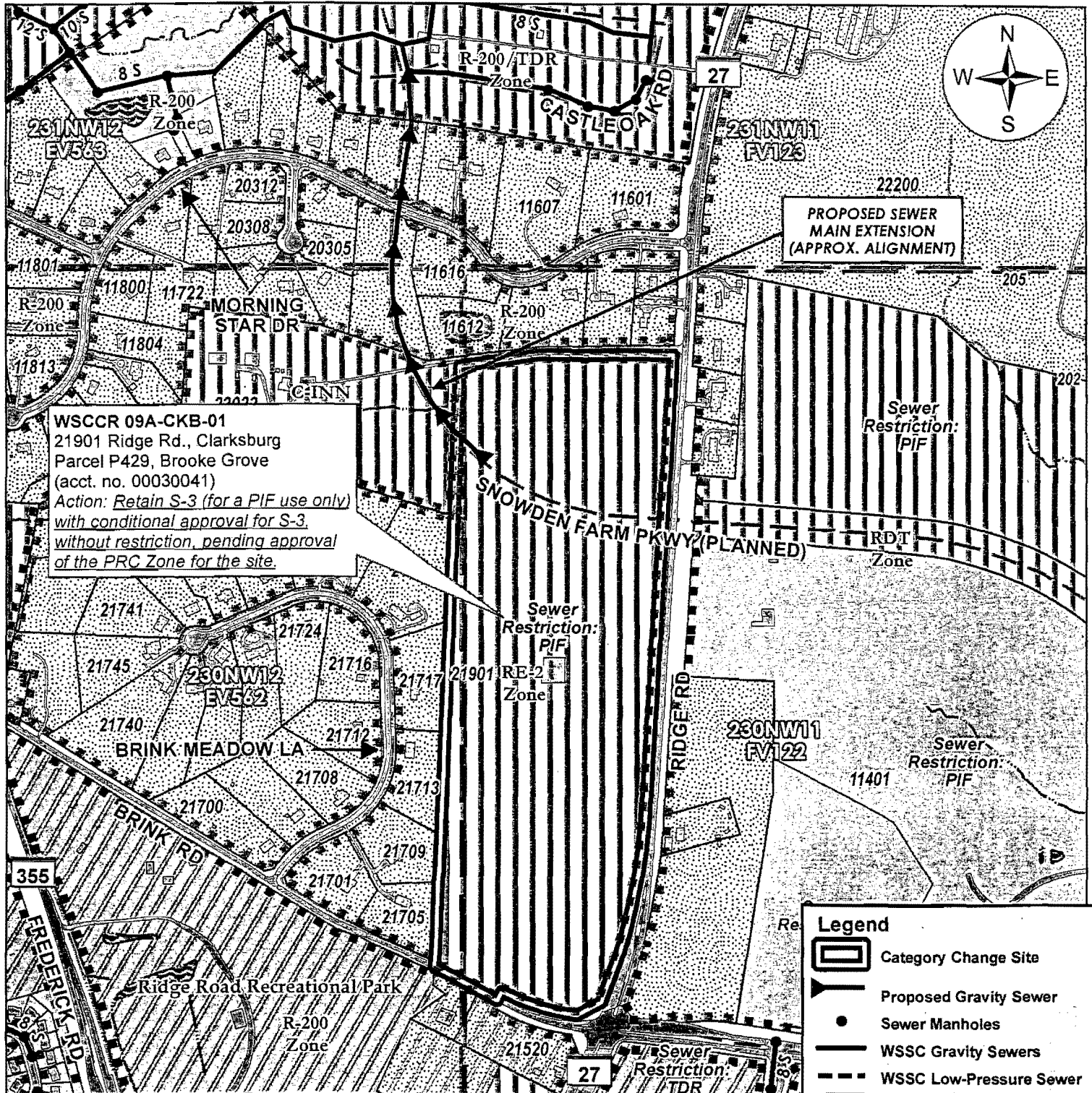
Property owners file category change map amendment requests seeking to change the service areas for their property from one category to another, often based on anticipated development plans. The following chart present the County Council's action on a water/sewer category map amendment request previously filed with DEP and transmitted by the County Executive to the Council for consideration in March 2011.

WSSCR 09A-CKB-01: Windridge Farm, LLC (for Orchard Run)

Previously deferred by the County Council under Resolution 17-217 (July 19, 2011)

Property Information and Location Property Development	Applicant's Request: County Council Action						
<ul style="list-style-type: none"> • 21901 Ridge Road, Germantown • Parcel P429, Brooke Grove; district 02, acct. no. 0030041 • Map tile: WSSC – 230NW11; MD – FV122 • Northwest quadrant, intersection of Ridge Rd (Rte. 27) and Brink Rd. • RE-2 Zone (PRC Zone proposed; case #G-881); 54.37 acres • Clarksburg Planning Area Clarksburg Master Plan (1994) • Little Seneca Creek Watershed (MDE use IV, Mont. Co. SPA) • <u>Existing use</u>: Vacant • <u>Proposed use</u>: Retirement Community for 140 units and a community center (under the proposed PRC Zone) 	<table border="1"> <thead> <tr> <th>Existing –</th><th>Requested – Service Area Categories</th></tr> </thead> <tbody> <tr> <td>W-1</td><td>W-1(No change)</td></tr> <tr> <td>S-3 (PIF only)</td><td>Remove PIF restriction from S-3</td></tr> </tbody> </table> <p>T&E Committee Recommendation</p> <p>Maintain S-3 for a PIF use only, with advancement to unrestricted S-3 conditioned on County Council approval of the PRC Zone for the site under Zoning Application No. G-881.</p>	Existing –	Requested – Service Area Categories	W-1	W-1(No change)	S-3 (PIF only)	Remove PIF restriction from S-3
Existing –	Requested – Service Area Categories						
W-1	W-1(No change)						
S-3 (PIF only)	Remove PIF restriction from S-3						

Sewer Service Area Categories Map: WSCCR 09A-CKB-01 (Orchard Run)



DEP-WWPG

5/7/13

0 500 1,000 1,500 2,000

Scale (Feet)

Montgomery County, Maryland
Draft 2013 Comprehensive Water Supply
and Sewerage Systems Plan